

## **REMARKS**

Claims 22-121 are pending in the Application and all have been rejected in the Office action mailed May 4, 2009. Claims 22, 24, 35, 37, 38, 40, 58, 65, 80, 82, 84, 98, 102, 104, and 118 are amended by this response. Claims 22, 38, 58, 65, 82, and 102 are independent claims, from which claims 23-37, 39-57, 59-64, 66-81, 83-101, and 103-121 depend, respectively.

The Applicants note that a goal of patent examination is to provide a prompt and complete examination of a patent application.

It is **essential** that patent applicants obtain a prompt yet complete examination of their applications. Under the principles of compact prosecution, each claim should be reviewed for compliance with every statutory requirement for patentability in the initial review of the application, even if one or more claims are found to be deficient with respect to some statutory requirement. Thus, USPTO personnel should state all reasons and bases for rejecting claims in the first Office action. Deficiencies should be explained clearly, particularly when they serve as a basis for a rejection. Whenever practicable, USPTO personnel should indicate how rejections may be overcome and how problems may be resolved. **A failure to follow this approach can lead to unnecessary delays in the prosecution of the application.**

M.P.E.P. §2106(II) (emphasis added).

As such, the Applicants assume, based on the goals of patent examination noted above, that the current Office Action sets forth “all reasons and bases” for rejecting the claims.

As an initial matter, Applicants respectfully note that the Office states, at page 14, that “Applicant’s amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.**” (emphasis in original) Applicants respectfully submit that Applicants’ response to the previous Office action did

not make any amendments to the claims. Further, it appears that no new grounds of rejection were advanced by the Office. Therefore, the reasons given for making the instant Office action final do not exist. Accordingly, Applicants respectfully request that the finality of the instant Office action be withdrawn, and that any first action after this RCE not be made final.

### **Rejections of Claims**

Claims 22, 23, 25-31, 38, 39, 41-50, 61-66, 68-74, 81-83, 85-94, 102, 103, and 105-114 were rejected under 35 U.S.C. §103(a) as being unpatentable over Norman, et al. (US 5,737,328, hereinafter "Norman") in view of Chu, et al. (US 5,890,055, hereinafter "Chu"). Claims 24, 34-36, 40, 53-57, 59, 60, 67, 77-79, 84, 97-101, 104, and 117-121 were rejected under 35 U.S.C. §103(a) as being unpatentable over Norman in view of Chu, and further in view of Wadin (US 5,491,739). Claims 32, 33, 37, 51, 52, 58, 75, 76, 80, 95, 96, 115, and 116 were rejected under 35 U.S.C. §103(a) over Norman in view of Chu and Spiegel (US 5,649,108). Applicants respectfully traverse the rejections. Applicants respectfully note that all of the claims in the Application are rejected for alleged reasons of obviousness.

Applicants respectfully submit that the Office action has failed to establish a *prima facie* case of obviousness, in accordance with M.P.E.P. §2142. According to M.P.E.P. §2142, "[t]he examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness." M.P.E.P. §2142 further states that "[t]he key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious." As recognized in M.P.E.P. §2142, "[t]he Supreme Court in *KSR International Co. v. Teleflex Inc.*, 127 S. Ct. 1727 (2007), 82 USPQ2d 1385, 1396 noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit." In addition, the Federal Circuit has made clear that "rejections on obviousness cannot be sustained with mere conclusory statements; instead, there must be some articulated

reasoning with some rational underpinning to support the legal conclusion of obviousness.” *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006). See also *KSR*, 127 S. Ct. 1727 (2007), 82 USPQ2d at 1396.

M.P.E.P. §2143.03 also makes it clear that to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Further, M.P.E.P. §2142 clearly states that “[t]he examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness...”, and that if the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness.

Applicants respectfully submit that the Office has not established a *prima facie* case of obviousness, for at least the reasons set forth during prosecution. Notwithstanding the above, Applicants have amended independent claims 22, 38, 58, 65, 82, and 102 to further clarify patentable aspects of those claims, and dependent claims 24, 35, 37, 40, 80, 84, 98, 104, and 118 to be consistent with their respective independent claims. Applicants respectfully submit that Applicants’ amendments render the rejections of the instant Office action moot.

#### **I. The Proposed Combination Of Norman And Chu Does Not Render Claims 22, 23, 25-31, 38, 39, 41-50, 61-66, 68-74, 81-83, 85-94, 102, 103, And 105-114 Unpatentable**

Claims 22, 23, 25-31, 38, 39, 41-50, 61-66, 68-74, 81-83, 85-94, 102, 103, and 105-114 were rejected under 35 U.S.C. §103(a) as being unpatentable over Norman in view of Chu.

With regard to independent claim 22, Applicants respectfully submit that claim 22 has been amended to recite “[a] method of operating a communication system, the method comprising: sending, by a first terminal via a communication link, a message requesting routing of a call from the first terminal to a second terminal; receiving, by the first terminal via the communication link, a message comprising call routing information identifying one or more call routes though a network; selecting, at the first terminal, a call route based upon the call routing information; and transmitting, by the first terminal via the communication link, a message requesting setup of the call from the first terminal to the second terminal using the selected call route.” Independent claims 38, 58, 65, 82, and 102 have been amended to recite features similar in many ways to those of claim 22. Support for the amendments to claims 22, 38, 58, 65, 82, and 102 may be found, for example, at Figs. 59 and 60 and pages 293-303 of the Application. Applicants respectfully submit that the cited art does not teach or suggest all of the features of Applicants’ claim 22.

Applicant respectfully submit that Norman relates to “...network communication systems in which misrouted information packets are automatically rerouted to the mobile communication units regardless of their changing locations.” (emphasis added) *Id.* at col. 1, lines 11-14. Applicants also note that Chu relates to “...a method and a system for connecting cells and microcells in a wireless communications network.” *Id.* at col. 1, line 7-9.

As previously noted, Applicants’ claim 22 has been amended to recite a method of operating a communication system, the method comprising, *inter alia*, “sending, by a first terminal via a communication link, a message requesting routing of a call from the first terminal to a second terminal,” “receiving, by the first terminal via the communication link, a message comprising call routing information identifying one or more call routes though a network,” “selecting, at the first terminal, a call route based upon the call routing information,” and “transmitting, by the first terminal via the

communication link, a message requesting setup of the call from the first terminal to the second terminal using the selected call route."

The rejection of claims 22 and 65 states the following:

*In consideration of claims 22 and 65, Norman teaches of a method of operating a communication system (see Figure 5; read mobile unit (MU) and access point (AP)), comprising: sending via a communication link a message; (Figure 10 read 122 receive find router packet) receiving via the communication link a message comprising call routing information; selecting a call route based upon the call routing information; (16:[0061] read [t]urning now to FIG. 10, the registration procedure from the perspective of each of the access points 42 will now be described beginning with step 120. The registration routine is executed by the processor 56 in the access point. In step 122, the processor 56 determines whether a "find router" packet has been received via the RF section 60 i.e. receiving via the communication link a message comprising routing information, from a mobile unit as discussed above in connection with step 102 in FIG. 9. If not, the processor 56 executes a loop around step 122 until such time as a "find router" packet is received as discussed above in connection with steps 104 and 106 in FIG. 9) selecting a route based upon the call routing information; (20:[0003] read FIG. 12 illustrates the routine executed by the processor 56 in each access point 42 in order to update the contents of the "current location" table, beginning in step 148. Following step 148, the processor 56 proceeds to step 150 where it checks whether a current location information packet has been received from one of the access points 42. If not, the processor 56 continues to loop through step 150. If yes, the processor 56 temporarily stores the packet in the memory 58 and proceeds to step 152. The processor 56 in step 152 reads the data in the data field of the current location information packet to determine which mobile unit locations are being updated i.e. selecting a call route based upon the call routing information) and transmitting via the communication link a message requesting setup of the call using the selected call route. (16: [0061] read ..When a "find router" packet is received in step 122, the processor 56 proceeds to step 124 whereby the access point 42*

*transmits "router identification" via the RF section 50 i.e. **transmitting via the communication link a message using the selected route.***

(italics and emphasis added)

As an initial matter, Applicants respectfully maintain that the Office has not complied with the requirements of M.P.E.P. §2142, in that the Office has not provided the required "explicit analysis," nor has it provided the "clear articulation of the reason(s) why the claimed invention would have been obvious" that M.P.E.P. §2142 recognizes as "[t]he key to supporting any rejection under 35 U.S.C. 103."

Instead, as can be seen clearly above, the Office provides only conclusory statements that certain portions of Norman teach certain aspects of Applicants' claims 22 and 65, but does not explain how and why. For each portion of Applicants' claims allegedly taught by Norman, the Office merely copies the portion of the claim, inserts a citation to Norman, and then copies a portion of the cited text from Norman with the portion of the claim allegedly taught by Norman inserted. The Office does not provide any explanation or rationale setting forth why the portion of Norman teaches the portion of Applicants' claim.

The Office admits that Norman "does not disclose a communication link where a message requests routing of a call, selecting a call route; or requesting setup of a call." (emphasis in original) *Id* at page 4. The Office then asserts that Chu beginning at col. 4, line 5 teaches "requesting routing of a call; selecting a call route; and requesting setup of the call." *Id*. The Office asserts the following, at pages 4-5, regarding the alleged teachings of Chu:

*Chu teaches of **requesting routing of a call; selecting a call route; and requesting setup of the call.**(4:[0005] read Base station 110 i.e. access point, may be comprised of hardware and software components that perform call setup and switching functions for calls originated from i.e. requesting routing for a call, or destined for wireless end-user devices 10, 11, 12, 14, 50 and 51. The call setup and switching functions i.e. call route, of base station 110*

include allocation and administration of radio channels for active wireless end-user devices, tearing down a connection at the end of a call, coordination of call hand-offs from one microcell site to another.)

(italics and bold added)

Again, the rejection over alleged teachings of Chu does not provide any explanation, interpretation, or rationale of how and why the cited text of Chu teaches the deficiencies of Norman, but instead simply identifies the elements missing from Norman, provides a citation to Chu, and copies portions of the cited text from Chu. Once again, the Office action offers only a conclusory statement that Chu teaches, and fails to provide the required explicit analysis explaining how and why the chosen passages from Chu teaches the specifics of Applicants' claim elements. Applicants respectfully submit that the Office recognizes at M.P.E.P. §2142 that such conclusory statements are insufficient to support a *prima facie* case of obviousness. Applicants respectfully submit that the Federal Circuit has made clear that "rejections on obviousness cannot be sustained with mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." Therefore, Applicants respectfully submit that the rejection of claims 22 and 65 presented by the Office is not sufficient to support a *prima facie* case of obviousness, and that claims 22 and 65 are allowable for at least this reason. **Applicants respectfully request that any future rejections be made specific, and clearly identify each of the elements of the cited reference that teaches each of Applicants' claim features along with the required explicit analysis, including an explanation how and why each of the cited portion of the reference teaches Applicants' claim features, per M.P.E.P. §§2142 and 2143.03.**

As shown and noted above, Applicants' claim 22 has been amended to recite, in part, "[a] method of operating a communication system, the method comprising: sending, by a first terminal via a communication link, a message requesting routing of a call from the first terminal to a second terminal," "receiving, by the first terminal via the

communication link, a message comprising call routing information identifying one or more call routes through a network,” “selecting, at the first terminal, a call route based upon the call routing information,” and “transmitting, by the first terminal via the communication link, a message requesting setup of the call from the first terminal to the second terminal using the selected call route.”

The Office action rejected Applicants’ feature “sending via a communication link a message” at page 3 citing Ref. 122 of Fig. 10 of Norman, stating “read 122 receive find router packet.” Norman explains that Fig. 10 relates to a “registration procedure” executed by a “processor 56” of an “access point 42”. According to Norman, “step 122” of the registration procedure “determines whether a “find router” packet has been received [by the access point 42].” Applicants respectfully submit that the sending of a message by a first terminal is quite different from the receipt of a message by an access point. Applicants appreciate recognition by the Office that Norman does not teach “requesting routing of a call.” The portion of Chu relied upon by the Office to remedy this shortcoming of the cited portion of Norman, which is shown above and will not be reproduced again here, identifies a “base station 10” that is “comprised of hardware and software components that perform call setup and switching functions for calls originated from or destined for wireless end-user devices 10, 11, 12, 14, 50 and 51.” Applicants respectfully submit that the receipt of a message by the “base station 10” of Chu is quite different from and does not teach or suggest the sending by a first terminal of a message requesting routing of a call. Further, the Office fails to show that the message allegedly received by the “base station 10” of Chu is a message “requesting routing of a call,” as alleged. The Office does not identify any message in Chu, let alone a message that requests routing of a call, and instead merely cites a portion of Chu that describes that the “base station 10” performs “call setup and switching functions” for calls originated from or destined for wireless end-user devices. Applicants respectfully submit that a message “requesting routing of a call” is not equivalent to nor does it teach origination of a call or termination of a call. This is particularly clear when one considers the remaining aspects of Applicants’ claim 22.



For example, Applicants amended claim 22 also recites, in part, “receiving, by the first terminal via the communication link, a message comprising call routing information identifying one or more call routes though a network.” Applicants respectfully submit that the cited art does not teach or suggest at least this aspect of Applicants’ claim 22. The Office action states, at pages 3-4, that Norman teaches “receiving via the communication link a message comprising call routing information” beginning at col. 16, line 61 of Norman.”

The portion of text identified by the Office relates to a “registration routine” from the perspective of an “access point”. Initially, Applicants respectfully submit that “registration” of a “mobile unit” by an “access point” as described by Norman is very different from a “first terminal” receiving a message comprising call routing information,” as more fully recited by Applicants’ amended claim 22. Norman teaches that a “mobile unit” registers upon power-up. *Id.* at col. 1, lines 66-67. The Office has failed to provide any rationale by which Norman teaches that registration comprises a mobile unit “receiving a message comprising call routing information,” as claimed.

Further, while the Office relies on Chu for the admitted shortcomings of Norman, namely, that Norman “does not disclose a communication link where a message requests routing of a call, selecting a call route; or requesting setup of a call,” the Office does not assert that Chu teaches “receiving a message comprising call routing information,” which is admittedly not taught by Norman. Therefore, Applicants respectfully submit that the Office has not shown where the proposed combination of Norman and Chu teaches or suggests at least this aspect of amended claim 22, let alone “receiving, by the first terminal via the communication link, a message comprising call routing information identifying one or more call routes though a network,” as claimed. Thus, for at least this reason, Applicants respectfully submit that claim 22 is allowable over Norman and Chu.

In addition, Applicants respectfully submit that the cited art does not teach or suggest, at least, “selecting, at the first terminal, a call route based upon the call routing

information,” now recited by Applicants’ claim 22. The Office admits that Norman “does not disclose ... selecting a call route.” *Id.* at page 4. The Office asserts, however, that Norman teaches “selecting a route based upon the call routing information,” citing the portion of Norman that begins at col. 20, line 3. The cited portion of Norman, shown above, explains that Fig. 12 of Norman “illustrates the routine executed by the processor 56 in each access point 42 in order to update the contents of the “current location” table.” The Office, however, offers no explanation of how and why updating the contents of a “current location table” teaches “selecting a route based upon the call routing information.” Applicants again respectfully submit that such “explicit analysis” is required by M.P.E.P. §2142. Conclusory statements of what is taught are not sufficient to support a finding of obviousness. To whatever extent the Office may be suggesting that the “current location table” or any updates thereto teach Applicants’ claimed feature, Applicants respectfully submit that a “current location,” or a table of “current locations,” or an “update” to such a table are quite different from and do not teach or suggest Applicants’ selected “call route” based upon the “call routing information,” as claimed

The Office then relies on Chu, as shown above, but again does not provide the required explicit analysis explaining how or why the identified portion of Chu teaches “selecting a call route,” as asserted by the Office. In any event, even if Applicants were to agree, *arguendo*, that Chu teaches the admitted shortcoming of Norman “selecting a call route,” **which Applicants do not**, Applicants respectfully submit that a teaching of a “base station 10” selecting a call route is quite different from and does not teach or suggest, “selecting, at the first terminal, a call route based upon the call routing information [received by the first terminal],” in accordance with Applicants’ amended claim 22. The Office has not shown where either Norman or Chu teach or suggest this aspect of Applicants’ claim 22. Therefore, the Office has not shown how and why the proposed combination of references teaches or suggests this aspect of Applicants’ claim 22. Thus, for at least these reasons, Applicants respectfully submit that the Office has not established that Norman and Chu, taken alone or together, teach or suggest

Applicants' claim 22 feature "selecting, at the first terminal, a call route based upon the call routing information," and that claim 22 is allowable over the cited art.

Applicants' claim 22 also now recites, in part, "transmitting, by the first terminal via the communication link, a message requesting setup of the call from the first terminal to the second terminal using the selected call route." The Office rejected similar language over a portion of Norman beginning at col. 16, line 61, stating that Norman teaches "transmitting via the communication link a message requesting setup of the call using the selected call route." *Id.* at page 4. Initially, Applicants respectfully submit that the alleged teaching of transmitting "router information" is quite different from transmitting "a message request setup of the call." Applicants respectfully submit that the mere transmission of information is not a "request."

Applicants appreciate that the Office admits that Norman fails to teach a message "requesting setup of a call." The Office, however, then relies again upon Chu beginning at col. 4, line 5. Applicants respectfully submit that the Office fails to identify where in the cited portion of Chu the missing message "request[ing] setup of a call" may be found. Further, to the extent that the Office may be suggesting that the disclosed "call setup and switching functions" of the "base station 10" somehow teach this shortcoming of Norman, Applicants respectfully submit that the such a bare mention of such "call setup and switching functions" in a "base station" cannot be stretched so far as to teach Applicants' feature "transmitting, by the first terminal via the communication link, a message requesting setup of the call from the first terminal to the second terminal using the selected call route [selected at the first terminal]."

Further, even if Applicants were to agree, *arguendo*, that Chu taught transmitting such a message, **which Applicants do not**, Applicants respectfully submit that Chu fails to teach that such a message is either transmitted or received by the "base station," and that it teaches the claimed "call route," selected at a "first terminal," as claimed. Thus, Applicants respectfully submit that the Office has not shown how and why the

Norman and Chu references, taken alone or together, teach at least this aspect of Applicants' claim 22, and that the cited art does not render claim 22 unpatentable.

Therefore, for at least the reasons set forth above, Applicants respectfully submit that the proposed combination of Norman and Chu fails to teach all of the elements of Applicants' amended claim 22, that the cited art does not support a *prima facie* case of obviousness, and that claim 22 is allowable over Norman and Chu. Applicants respectfully submit that claims 23-37 depend from allowable claim 22 and are also allowable over Norman and Chu, for at least the same reasons. Accordingly, Applicants respectfully request that the rejection of claims 22, 23, and 25-31, under 35 U.S.C. §103(a) be reconsidered and withdrawn.

With regard to independent claim 65, Applicants respectfully submit that claim 65 has been amended to recite features similar in many ways to those of claim 22, that claim 65 was rejected for the same reasons based upon the same cited portions of Norman and Chu used for the rejection of claim 22, and that claim 65 is allowable over the proposed combination of references for at least the reasons set forth above with respect to claim 22. Because claims 66-81 depend from allowable independent claim 65, Applicants respectfully submit that claims 66-81 are also allowable, for at least the same reasons. Accordingly, Applicants respectfully request that the rejection of claims 65, 66, 68-74, and 81 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

With regard to independent claims 38, 82, and 102, Applicants respectfully submit that independent claims 38, 82, and 102 have been amended to recite features similar in many ways to those of claims 22 and 65, that claims 38, 82, and 102 were rejected for reasons substantially the same as those asserted in the rejections of claims 22 and 65 relying on support from the same cited portions of Norman and Chu used for the rejections of claims 22 and 65, and that claims 38, 82, and 102 are allowable over the proposed combination of references for at least the reasons set forth above with

respect to claims 22 and 65. Because claims 39-57, 83-101, and 103-121 depend from allowable independent claims 38, 82, and 102, Applicants respectfully submit that claims 39-57, 83-101, and 103-121 that depend, respectively, from claims 38, 82, and 102 are also allowable over Norman and Chu, for at least the same reasons. Accordingly, Applicants respectfully request that the rejection of claims 38, 39, 41-50, 82, 83, 85-94, 102, 103, and 105-114 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

**II. The Proposed Combination Of Norman, Chu, And Wadin Does Not Render Claims 24, 34-36, 40, 53-57, 59, 60, 67, 77-79, 84, 97-101, 104, And 117-121 Unpatentable**

Claims 24, 34-36, 40, 53-57, 59, 60, 67, 77-79, 84, 97-101, 104, and 117-121 were rejected under 35 U.S.C. §103(a) as being unpatentable over Norman in view of Chu, and further in view of Wadin. Applicants respectfully submit that claims 24 and 34-36, claims 40 and 53-57, claims 67 and 77-79, claims 84 and 97-101, and claims 104 and 117-121 depend directly or indirectly from independent claims 22, 38, 65, 82, and 102, respectively. Applicants respectfully submit that independent claims 22, 38, 65, 82, and 102 are allowable over the proposed combination of references, in that Wadin does not remedy the deficiencies of Norman and Chu, set forth above. Because claims 22, 38, 65, 82, and 102 are allowable over the proposed combination of Norman, Chu, and Wadin, Applicants respectfully submit that claims 24, 34-36, 40, 53-57, 59, 60, 67, 77-79, 84, 97-101, 104, and 117-121 that depend therefrom are also allowable, for at least the same reasons. Accordingly, Applicants respectfully request that the rejection of claims 24, 34-36, 40, 53-57, 59, 60, 67, 77-79, 84, 97-101, 104, and 117-121 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

### **III. The Proposed Combination Of Norman, Chu, And Spiegel Does Not Render Claims 32, 33, 37, 51, 52, 58, 75, 76, 80, 95, 96, 115, and 116 Unpatentable**

Claims 32, 33, 37, 51, 52, 58, 75, 76, 80, 95, 96, 115, and 116 were rejected under 35 U.S.C. §103(a) over Norman in view of Chu and Spiegel.

With respect to independent claim 58, Applicants respectfully submit that claim 58 has been amended to recite features similar in many ways to those recited by claim 22. Applicants respectfully submit that the rejection of claim 58 fails to address all of the features of claim 58, and that the Office has, therefore, failed to established a *prima facie* case of obviousness, for at least that reason.

Further, to the extent that claim 58 recites aspects of the claim 22, Applicants respectfully submit that claim 58 is allowable over the proposed combination of Norman, Chu and Spiegel, in that the Office has failed to show where Spiegel overcomes the deficiencies in the teachings of Norman and Chu, set forth above. Because claims 59-64 depend from allowable claim 58, Applicants respectfully submit that claims 59-64 are also allowable over the proposed combination of Norman, Chu and Spiegel as well.

With regard to dependent claims 32, 33, 37, 51, 52, 75, 76, 80, 95, 96, 115, and 116, Applicants respectfully submit that claims 32, 33, and 37, claims 51 and 52, claims 75, 76, and 80, claims 95 and 96, and claims 115 and 116 depend, respectively, from independent claims 22, 38, 65, 82, and 102. Applicants respectfully submit that independent claims 22, 38, 65, 82, and 102 are allowable over the proposed combination of references, in that Spiegel does not overcome the demonstrated shortcomings of Norman and Chu, set forth above. Because claims 32, 33, 37, 51, 52, 75, 76, 80, 95, 96, 115, and 116 depend from allowable claims 22, 38, 65, 82, and 102, Applicants respectfully submit that claims 32, 33, 37, 51, 52, 75, 76, 80, 95, 96, 115, and 116 are also allowable over Norman, Chu, and Spiegel, for at least the same reasons. Accordingly, Applicants respectfully request that the rejection of claims 32, 33, 37, 51, 52, 58, 75, 76, 80, 95, 96, 115, and 116 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

## Conclusion

In general, the Office Action makes various statements regarding the claims and the cited references that are now moot in light of the above. Thus, Applicants will not address such statements at the present time. However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statements should become relevant by appearing in a rejection of any current or future claim).

The Applicants believe that all of pending claims 22-121 are in condition for allowance. Therefore, allowance of claims 22-121 is respectfully requested.

The Commissioner is hereby authorized to charge any fees required by this submission to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Should the Examiner disagree or have any questions regarding this submission, the Applicants invite the Examiner to telephone the undersigned at (312) 775-8000 to resolve any issues.

Respectfully submitted,

Dated: September 8, 2009  
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